

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY - CAMDEN VICINAGE  
CIVIL ACTION NO. 1:09-cv-00698-JEI-KMW

## I N D E X

DOUGLAS CHARLES STROBY, )  
Plaintiff(s), )  
vs. )  
EGG HARBOR TOWNSHIP, )  
CHIEF BLAZE CATANIA, )  
OFFICER JEFFREY )  
LANCASTER, jointly, )  
severally, and/or in )  
the alternative, )  
Defendant(s). )

DEPOSITION OF  
JEFFREY LANCASTER

DEPONENTS:

JEFFREY LANCASTER

Examination by Mr. Murray	4, 70
Examination by Mr. Barker	68
Examination by Ms. Verno	69

EXHIBITS FOR IDENTIFICATION:

None presented.

REQUESTS FOR DOCUMENTS:

None requested.

REPORTED BY CATHERINE M. WYBLE, CCR, CMR, Notary  
Public for the State of New Jersey, in the offices of  
Egg Harbor Township Municipal Building, Conference Room  
108, 3515 Bargaintown Road, Egg Harbor Township, NJ, on  
Tuesday, December 29, 2009, commencing at 12:22 p.m.

PATRICIA ANN TERRACCIANO  
Certified Court Reporters  
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## A P P E A R A N C E S :

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Counsel for the Plaintiff

BARKER, SCOTT & GELFAND  
BY: A. MICHAEL BARKER, ESQUIRE  
210 New Road, Linwood Greene, Suite 12, Linwood, NJ 08221  
Counsel for Defendant Egg Harbor Township

MICHELE C. VERN0, LLC  
BY: MICHELE C. VERN0, ESQUIRE  
1001 Tilton Road, Suite 205, Northfield, NJ 08225  
Counsel for Defendant Jeffrey Lancaster

## A L S O . P R E S E N T :

DOUGLAS CHARLES STROBY

1 JEFFREY LANCASTER, having been first duly  
2 sworn or affirmed at 12:22 p.m., was examined and  
3 testified as follows:  
4 \* \* \*  
5 EXAMINATION BY MR. MURRAY:  
6 Q. Officer Lancaster, good morning. My name  
7 is Arthur Murray. You and I have met before. I have  
8 taken your deposition before; is that correct? Weren't  
9 you deposed in the Pierre Reid case?  
10 A. Yes.  
11 Q. I'm about to take your deposition again.  
12 Other than the Pierre Reid case, have you ever been  
13 through a deposition before?  
14 A. No.  
15 Q. I'm going to go over the general  
16 instructions with you just in case you forgot them from  
17 that case. A deposition is essentially a series of  
18 oral questions and answers. I'm going to ask you  
19 questions. You're going to answer them. Even though  
20 we're in the informal setting of a conference room  
21 today, the testimony you give has the same force and  
22 effect as if you were testifying before a judge and a  
23 jury. The oath you have taken to tell the truth is the  
24 same oath you would take in front of a judge and a  
25 jury, and the same penalties of perjury apply. Do you

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- 1 Q. And was that decision against you?
- 2 A. Yes.
- 3 Q. And was there any further level of appeal
- 4 you could take within the union as it relates to that
- 5 issue?
- 6 A. No.
- 7 Q. And when did you get that final
- 8 determination from the union appeal process? Was it in
- 9 the calendar year 2009?
- 10 A. Yes.
- 11 Q. To your knowledge, have you turned over all
- 12 the documentation from the appeal and that grievance
- 13 that you had copies of to Mrs. Verno?
- 14 A. Yes.
- 15 Q. Separate and apart from the union
- 16 grievance, is there anything else you did to try to
- 17 appeal the city's decision to not provide you with a
- 18 defense counsel?
- 19 A. Not at all.
- 20 Q. Other than the union grievance, have you
- 21 done anything else to try finding out whether or not
- 22 you have coverage through any other source as it
- 23 relates to this litigation?
- 24 A. No.
- 25 Q. Have you turned over a copy of the lawsuit

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- 1 to your homeowners insurance carrier?
- 2 A. No.
- 3 Q. Did you have homeowners insurance as of
- 4 September 30, 2008?
- 5 A. I believe so.
- 6 Q. Other than the Pierre Reid case and this
- 7 case -- I think I asked you this, but have you given
- 8 any other depositions?
- 9 A. No, sir.
- 10 Q. Have you ever given a statement under oath
- 11 where you were sworn to tell the truth and had to give
- 12 a statement under oath other than in a court
- 13 proceeding?
- 14 A. No.
- 15 Q. Have you ever undergone an internal affairs
- 16 interview?
- 17 A. Yes.
- 18 Q. How many internal affairs interviews have
- 19 you had?
- 20 A. I believe three.
- 21 Q. Now, I have been provided with two
- 22 transcripts that you gave as it relates to the Strobby
- 23 incident. Are you counting that as two of the three,
- 24 or is that one of the three?
- 25 A. I would count that as one.

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- 1 Q. Okay. The other two internal affairs cases
- 2 that you have been interviewed, were you a witness or
- 3 were you the target of the investigation?
- 4 A. One I was the target of the investigation I
- 5 believe. In the Pierre Reid reference, I'm not sure.
- 6 At the time I was new, and...
- 7 Q. And generally, other than the Pierre Reid
- 8 one and this one, what was the third one about?
- 9 MS. Verno: I'm going to object to
- 10 that. If you can define the time frame of that.
- 11 MR. MURRAY: Okay.
- 12 Q. The third one, did it happen before or
- 13 after the incident involving Mr. Strobby?
- 14 A. After.
- 15 Q. Was the complainant in that case a private
- 16 citizen or a fellow officer?
- 17 MS. Verno: I'm going to object to that
- 18 and instruct Mr. Lancaster not to answer that as it was
- 19 subsequent to the incident involved here today.
- 20 MR. MURRAY: Okay. I just want to make
- 21 sure it's perfectly aware to counsel that I'm going to
- 22 be making an application to the magistrate, and you
- 23 guys will be paying for both my time and the court
- 24 reporter's time when we come back, and given the fact
- 25 that Mr. Lancaster does not have coverage for this

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- 1 incident, that means he will be paying out of his own
- 2 pocket as it relates to this line of questioning. So I
- 3 just want to make sure, Ms. Verno, that you know what
- 4 route you're going down separate and apart from
- 5 Mr. Barker's decision when he has got a source of money
- 6 paying me and paying the court reporter.
- 7 MS. Verno: We are aware of that,
- 8 Mr. Murray.
- 9 MR. MURRAY: Okay.
- 10 MR. BARKER: You have my objection on
- 11 this.
- 12 MR. MURRAY: I have got your objection,
- 13 Mr. Barker. So we'll deal with it accordingly.
- 14 Q. How many times on the other incident that
- 15 you were interviewed on -- were you interviewed once or
- 16 more than once?
- 17 MS. Verno: Objection. Are we speaking
- 18 about the subsequent incident?
- 19 MR. MURRAY: Yeah. Right now I just
- 20 want to know how many times he was interviewed. I'm
- 21 not going over the substance of the allegations or
- 22 anything else. I'm just finding out the number of
- 23 times he was interviewed by internal affairs. Are you
- 24 objecting to that?
- 25 MS. Verno: No.

1 **A. Once.**  
 2 **Q.** Other than meeting with internal affairs  
 3 and meeting with your own attorney, have you ever met  
 4 and discussed the Strobby incident with anybody else?  
 5 **A. No.**  
 6 **Q.** Do you have an e-mail account assigned to  
 7 you as an Egg Harbor Township patrol officer?  
 8 **A. Yes.**  
 9 **Q.** And what is your e-mail?  
 10 **A. jlancaaster@ehtpd.com.**  
 11 **Q.** And do you use that e-mail address?  
 12 **A. Yes.**  
 13 **Q.** Do you receive e-mails as well as transmit  
 14 e-mails?  
 15 **A. Yes.**  
 16 **Q.** Do you save e-mails that you receive?  
 17 **A. Yes.**  
 18 **Q.** How do you save them?  
 19 **A. I leave them -- I don't technically save**  
 20 **them. I just don't delete them. They stay on that**  
 21 **file for however long the system itself allows.**  
 22 **Q.** And do you know what that time frame is, in  
 23 other words, how long the system allows them to stay  
 24 before they are automatically deleted, if they are at  
 25 all?

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1 **A. No, I do not.**  
 2 **Q.** Do you know whether they are automatically  
 3 deleted after some period of time?  
 4 **A. I do not know.**  
 5 **Q.** And is the same true as it relates to  
 6 e-mails that you send? You keep them in your sent file  
 7 and don't actually delete them?  
 8 **A. That's correct.**  
 9 **Q.** And so long as the system didn't delete  
 10 them, you would not have actually deleted them?  
 11 **A. True.**  
 12 **Q.** Do you ever actually print out hard copies  
 13 of e-mails?  
 14 **A. Not normally.**  
 15 **Q.** Have you undertaken a search of your  
 16 electronic mails to determine whether or not there are  
 17 any e-mails relevant to this litigation involving  
 18 Mr. Strobby?  
 19 **A. No.**  
 20 **Q.** Do you believe there would be any e-mails  
 21 on your system that would be relevant to the Strobby  
 22 incident in terms of either the investigation of that,  
 23 the internal affairs aspect of that, the coverage issue  
 24 we have talked about earlier, anything?  
 25 **A. I don't believe so.**

1 **Q.** You understand that you are a named  
 2 defendant in this lawsuit, do you not?  
 3 **A. Yes.**  
 4 **Q.** You also understood that you were a named  
 5 defendant in the Pierre Reid lawsuit, correct?  
 6 **A. Yes.**  
 7 **Q.** Other than those two lawsuits, have you  
 8 ever been a named defendant in a lawsuit before in your  
 9 capacity as a police officer for Egg Harbor Township?  
 10 **A. No.**  
 11 **Q.** Have you ever been a named defendant in a  
 12 criminal citation filed by a private citizen against  
 13 you in your capacity as a police officer for Egg Harbor  
 14 Township?  
 15 **A. No.**  
 16 **Q.** You came in the department in what year?  
 17 **A. 2002.**  
 18 **Q.** And you still hold the rank of patrol  
 19 officer?  
 20 **A. Yes.**  
 21 **Q.** And did you have any law enforcement  
 22 experience prior to coming to Egg Harbor Township?  
 23 **A. No.**  
 24 **Q.** And you're the graduate of a police  
 25 academy; is that right?

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20

1 **A. Yes.**  
 2 **Q.** What academy did you graduate from?  
 3 **A. Atlantic County.**  
 4 **Q.** And what was your year of graduation?  
 5 **A. 2003.**  
 6 **Q.** And have you received additional training  
 7 as a police officer since coming out of the academy?  
 8 **A. Yes.**  
 9 **Q.** Has that been training you have been  
 10 required to go to or that you have requested to go to  
 11 or a combination of both?  
 12 **A. A combination of both.**  
 13 **Q.** Before your deposition, we took the  
 14 deposition of the chief of police, and he indicated  
 15 that training is now kept on-line, and you can punch in  
 16 your badge number and actually get a printout of the  
 17 training you have received. Are you aware of that?  
 18 **A. Yes.**  
 19 **Q.** Have you actually punched in your badge  
 20 recently and looked at your profile of training?  
 21 **A. No.**  
 22 **Q.** Have you ever looked at your profile of  
 23 training?  
 24 **A. No.**  
 25 **Q.** Do you know whether or not what is on-line